

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

PS – I&CAD Dept – Vigilance & Enforcement report on Irregularities committed in Mechanical Circle, NSP., Guntur pertaining to the work "Medium Irrigation – NABARD, Rallapadu Project" – Disciplinary proceedings initiated against Sri V.Ramdas, SE(Rtd)- further action dropped- Orders issued

IRRIGATION & CAD (SER.VII(V&E-2) DEPARTMENT

G.O.Rt.No.509

dt. 31-05-2011

Read the following :

1. From the GA(V&E) Dept, Vigilance Report No. 77(419/V&E-EI/99), dt. 10-7-2001.
2. G.O.Rt.No.1127, I & CAD (CAD Ser.II) Dept, dt. 06-10-2001.
3. From Sri V.Rama Das, SE (rtd) Written Statement of defense dated 10-04-2002.
4. G.O.Rt.No. 832, I & CAD CADA (Ser.II) Department dated 17-07-2003.
5. From Sri D.Ramaiah IAS (Rtd) D.O.Lr.No. 101/M-COUI,DR/2003 dt. 20-11-2003.
6. Govt Memo.No. 25501/Ser.VII (V&E-2)/2001-16 dt. 21-11-2005.
7. From Sri V.Ramdas, SE (Rtd) representation dated Nil
8. Govt memo.No. 25501/ Ser.VII (V&E-2)/2001-20, dt. 3-11-2006
9. From Sri V.Ramdas representation dated 09-07-2007.
10. Govt letter No. 25501/ Ser.VII (V&E-2)/01-21, dt. 07-11-2007.
11. From the Secretary Andhra Pradesh Public Service Commission, Hyderabad, Lr. No. 1695/ RT-I/1/2007, dated 31-01-2008.
12. G.O.Ms.No. 93, I & CAD 9Ser.VII(V&E-2) Dept, dt. 18-06-2008
13. Orders of the Hon`ble APAT in O. A.No. 5483 of 2008 filed by Sri V.Ramdas, SE (Rtd).

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In the reference 1<sup>st</sup> read above, it has been brought to the notice of the Government that Sri V.Ramdas, Superintending Engineer, Mechanical Circle, Guntur has committed certain irregularities in the work Fabrication and supply of end drive units and its assembling for additional spillway of Rallapadu Reservoir, by boosting up of estimate and for not adding the provisions of GC & IC though the work was proposed to be entrusted to a private agency.

2. In the references 2<sup>nd</sup> read above, Government, after careful examination of the V&E Report, initiated disciplinary proceedings against Sri V.Rama Das, Superintending Engineer, by issuing articles of charges.

3. In the reference 3<sup>rd</sup> read above, Sri V.Rama das Superintending Engineer has submitted his written statements of defense.

4. After examining the Written Statement of defense of Sri V.Rama Das Superintending Engineer(Rtd), in the reference 4<sup>th</sup> read above, Sri D.Ramaiah IAS,Member, COI has been appointed as Inquiring Authority to enquire into the charges framed against Sri V.Ramdas, Superintending Engineer (Rtd), as his Written Statement of Defense was not convincing.

6. In the reference 5<sup>th</sup> read above, Sri D.Ramaiah, IAS submitted his enquiry Report stating that the charges were not proved against the charged Officer.

7. After careful examination of the Enquiry Report , Government decided to deviate the findings of the Inquiring Authority for the following reasons:

As per the letter and spirit of Chapter XI to XIII and paras 395 to 452 of the A.P. Works Account Code all matters required for civil works shall have to be manufactured in work shops of the department, Departmentally.

For every job so taken up departmentally, there must be an estimate of cost providing for all charges, including the prescribed percentage for indirect charges as laid down in para 449 of the above referred code sanctioned by the competent authority and accepted by the indenting officer.

The actual amount to be realized from the Indenting authority shall however be based on actual cost, though the authorized limit of cost, which the officer in charge of the workshop, may incur without further authority, is that shown in the accepted estimate. In this case Sri V.Ramdas,SE has sanctioned an estimate as per rules in vogue but had no authority to let out the work to outside agency. The estimate was real so far as the material is manufactured in work shop. When rules exist the reasons put forth as urgency of work, precedences etc., are unacceptable dialogues. Had not the charges i.e. G.C & I.C. been indicated in the tender the real cost of material would have come in open competition. The same situation would have been there had tenders been called by the needy Civil counter part himself who would definitely not provide GC & IC in his estimate. By the action of C.O the Govt. had paid excess percentage of tender even on G.C & I.C. apart from unnecessary paying of GC & I.C.

The estimate had got boosted up by not deleting the provisions of G.C. & I.C. Thus the Government had incurred loss by way excess payment as detailed supra. Thus it cannot be said that no loss is caused to Government by the action of the C.Os. Hence, the conclusion of the inquiring authority is differing to the extent mentioned above and the charge is held proved."

8. In the references 6<sup>th</sup> read above, while communicating the reasons for deviation of the findings of the Inquiring Authority, Sri V.Ram Das SE (RTd) was requested to submit their representation on the decision of the Government.

9. In the references 7<sup>th</sup> read above, Sri V.Rama Das SE(Rtd) has submitted his representations with a request to drop further action against him.

10. Government, after careful examination of the representation of Sri V.Rama Das, decided provisionally to impose a punishment of 10% cut in pension permanently on Sri V.Ramdas, Superintending Engineer (Rtd) as he is primarily responsible to cause huge loss to Government.

11. In the reference 8<sup>th</sup> read above, Sri V.Ramdas, Superintending Engineer (Rtd) has been requested to submit his representation on the provisional decision taken by the Government.

12. In the reference 9<sup>th</sup> read above, Sri V.Ramdas submitted his representation with a request to drop further action against him.

13. In the reference 10<sup>th</sup> read above, the Secretary, Andhra Pradesh Public Service Commission, Hyderabad has been requested to communicate the concurrence of the APPSC on the proposal of the Government.

14. In the reference 11<sup>th</sup> read above, the Secretary, APPSC has informed that the APPSC has agreed for imposing punishment of 10% cut in

pension for a period of (5) years on Sri V.Rama Das, Superintending Engineer (Rtd).

15. Government after careful examination of the entire issue, have decided to impose punishment/ penalty of 10% cut in pension for a period of (5) years on Sri V.Rama Das, Superintending Engineer (Rtd) as advised by the APPSC.

16. Aggrieved by the orders of the Government Sri V.Ramdas, SE(Rtd) has filed O./A.No. 5483 of 2008 before the Hon`ble APAT.

17. The Hon`ble APAT in its orders dated 22-09-2009, while setting – aside the orders issued in G.O.Ms.No. 93, dated 19-06-2008 has ordered that the applicant is entitled for full pension without any cut and if any amounts are recovered from the pension of the applicant in pursuance of the impugned orders to refund the same to the applicant.

18. Government after careful examination of the same have decided to implement the orders of the Hon`ble APAT dated 22-09-2009 in O.A.No. 5483/2008 filed by Sri V.Ramdas, SE(Rtd).

19. The Engineer-in-Chief (AW), I & CAD Department shall take necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**SHAILENDRA KUMAR JOSHI  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri V.Rama Das, Superintending Engineer (Rtd) through the ENC(AW), I & CAD Department

The ENC(AW), I & CAD Dept, Hyderabad.

Copy to:

The Accountant General, A.P. Hyderabad.

The General Administration (V&E) Department

The Secretary, AP Vigilance Commission, Hyderabad

The Secretary, APPSC, Hyderabad

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER